

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$20,900.00 within the 2012 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute a seven-year three-month lease with K.C. Partners Oak Tower Limited Partnership of Kansas City, Missouri, for office space for the Public Defender's Office, at a cost to the County not to exceed \$100,018.00 for 2012.

RESOLUTION #17919, June 11, 2012

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, the Public Defender's Office currently leases space in the Oak Tower building in downtown Kansas City; and,

WHEREAS, that lease with K.C. Partners Oak Tower Limited Partnership expired December 31, 2011, and has been renewed on a month-to-month basis during 2012; and,

WHEREAS, the Director of Finance and Purchasing has solicited written bids on Request for Proposals No. 36-12 for the furnishing of downtown office space for the Public Defender's Office; and,

WHEREAS, a total of 200 notifications were distributed and three responses were received, as follows:

BIDDER

LOCATION

Jury & Associates
Overland Park, KS

20 W. 9th Street

Zimmer Real Estate Services
Kansas City (Jackson County), MO

Mark Twain Tower,
106 W. 11th Street

CBRE agent for K.C. Partners Oak Tower
Limited Partnership
Kansas City (Jackson County), MO

Oak Tower
324 E. 11th St.

WHEREAS, during the negotiation process with the current landlord it was determined that the County could receive more favorable negotiated lease rates for the Public Defender's office space by negotiating both the Family Support office space and the Public Defender's office space together; and,

WHEREAS, this arrangement is also beneficial because the Public Defender will remain in its current location, avoiding the expense and disruption of relocating; and,

WHEREAS, under the proposal, the cost of the lease for the remainder of 2012 will be \$100,018.00, with an annual cost of \$200,035.00 for the first three years of the lease and a cost of \$204,581.25 for years four through seven thereafter; and,

WHEREAS, the landlord will also provide up to 1,200 square feet of additional free storage space on an unoccupied adjacent floor; and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, the Director of

Finance and Purchasing recommends the award of a contract for the furnishing of office space for the Public Defender to K.C. Partners Oak Tower Limited Partnership of Kansas City, MO, as the lowest and best proposal meeting specifications; and,

WHEREAS, a transfer is necessary to place a portion the necessary funds in the proper spending account; and,

WHEREAS, the County Executive recommends said transfer; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri that the following transfer be made within the 2012 Anti-Drug Sales Tax Fund:

<u>Department/Division</u>	<u>Character/Description</u>	<u>From</u>	<u>To</u>
Anti-Drug Sales Tax Fund Contingency Fund 008-8005	56830 – Contingency	\$20,900	
Anti-Drug Sales Tax Fund Public Defender Rent 008-3003	56790 – Other Contractual Services		\$20,900

and,

BE IT FURTHER RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute a lease agreement incorporating the terms set forth in this Resolution with K.C. Partners Oak Tower

Limited Partnership of Kansas City, Missouri, in a form to be approved by the County Counselor; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchase be and hereby is authorized to make all payments, including final payment on the lease, subject to the availability of appropriated funds.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

[Signature]
Chief Deputy County Counselor

[Signature]
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17919 of June 11, 2012, was duly passed on June 11, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

6.12.12
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the source indicated below.

ACCOUNT NUMBER: 008 8005 56830
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Contingency Fund - Contingency
NOT TO EXCEED: \$20,900.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 008 3003 56790
ACCOUNT TITLE: Anti-Drug Sales Tax Fund
Public Defender Rent
Other Contractual Services
NOT TO EXCEED: \$100,018.00

Funds for future years' obligations are subject to appropriation in the then current budget.

June 7, 2012
Date

[Signature]
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION


Completed by County Counselor's Office:

Resolution No.: 17919

Sponsor(s): James D. Tindall

Date: June 11, 2012

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing a the County Executive to execute seven year three month Contract for the Lease of Office Space for the Public Defender Office with K.C. Partners Oak Tower Limited Partnership of Kansas City, Missouri; under the Terms and Conditions of Request for Proposal No. 36-12 to begin July 1, 2012.</u></p>														
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 590 1198 995"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$100,018</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$100,018</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$100,018</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td></td> </tr> <tr> <td>FROM: 008-8005-56830 - Contingency</td> <td>\$20,900</td> </tr> <tr> <td>TO: 008-3003-56790 Other Contractual Services</td> <td>\$20,900</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$100,018	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$100,018	Amount budgeted for this item * (including transfers):	\$100,018	Source of funding (name of fund) and account code number;		FROM: 008-8005-56830 - Contingency	\$20,900	TO: 008-3003-56790 Other Contractual Services	\$20,900
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FROM: 008-8005-56830 - Contingency	\$20,900														
TO: 008-3003-56790 Other Contractual Services	\$20,900														
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>														
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Teddy Ballard, Purchasing & Shelley Kneuvean, County Executive Office</p>														
REQUEST SUMMARY	<p>The existing lease for office space for the Public Defender expired December 31, 2011. The current lease is on a month to month basis. Initially the county staff worked closed with the Public Defender's Office to determine the location need for the offices. In analyzing the case and client load of the office, 74% of the cases reside in Kansas City. Further, a significant number of clients are housed in the Jackson County Corrections Department located at 13th & Cherry. Given that, it was determined that the optimum location for this operation would continue to be in the downtown core.</p> <p>In order to assess the ongoing lease rates and determine the best option, the Purchasing Department issued Request for Proposal No. 36-12.</p>														

	<p>A total of 200 notifications were distributed and three (3) responses were received.</p> <p>BIDDER Jury & Associates (Johnson County), Overland Park, KS Zimmer Real Estate Services (Jackson County), Kansas City CBRE (Jackson County), Kansas City</p> <p>Pursuant to Section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a Contract for the furnishing office space for the Public Defender under the terms and conditions of Request for Proposal No. 36-12 as the lowest and best proposal received meeting specifications.</p> <p>Of the bids received, the costs ranged from \$12 to \$20 per square foot for office space rental, over the term of the lease. For a point of reference, lease space rented by the County in the Independence Square area is in the range of \$12 per square foot and existing rental rates for the Prosecutor's Family Support office is \$14.57 per square foot in downtown Kansas City (same building as this proposed lease).</p> <p>Upon further negotiation with the current landlord (who was one of the bidders, CBRE), the county was able to negotiate lease rates with the current landlord for the same current square footage (18,185 square feet on 2 floors) including additional improvements (carpet, paint, security improvements) in the amount of \$11 per square foot for the first three years; and \$11.25 per square foot for years 4 – 7. Additionally, the landlord will provide up to 1,200 square feet of additional free storage on an unoccupied adjacent floor.</p> <p>Therefore, it is recommended that the county enter into this lease agreement with K.C. Partners Oak Tower Limited Partnership of Kansas City, Missouri and the lowest and best proposal.</p> <p>As with all county lease agreements and multi-year agreements, there is a non-appropriations clause included in the lease.</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director:	Date:
	Finance (Budget Approval): <i>If applicable Deborah A Ball</i>	Date: 6-7-12
	Division Manager: 	Date: 6/7/12
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

**Fiscal Note:
Jackson County, Missouri**

Funds sufficient for this transfer are available from the sources indicated below.

Date:	June 7, 2012	PC# _____	RES # <u>17919</u>
<u>Department / Division</u>	<u>Character/Description</u>	<u>From</u>	<u>To</u>
Anti-Drug Fund - 008			
8005 - Non-mandated Contingency	56830 - Contingency	20,900	
3003 - Public Defender Rent	56790 - Other Contractual Services		20,900

Fiscal Note:

This expenditure was included in the Annual Budget.

Date:	January 19, 2011	PC# _____	RES # _____
<u>Department / Division</u>	<u>Character/Description</u>	<u>From</u>	<u>To</u>
Anti-Drug - 008			Not to Exceed
3003 - Public Defender Rent	56790 - Other Contractual Services		100,018

Robert S Ball 6-7-12
Budgeting